

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **John Michael Kerby**
Sherry Kerby
Debtor(s)

Case No. **10-61222**
Chapter 13 Proceeding

☐ **AMENDED** ☐ **MODIFIED**
DEBTOR(S)' CHAPTER 13 PLAN
AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE

Creditors are hereby notified that the following Plan may be amended at any time before confirmation. Any amendment may affect your status as a creditor. The Debtor's estimate of how much the Plan will pay, projected payments, and estimates of the allowed claims may also change. The following information advises creditors of the status of the case based on the information known at the time of its preparation. Any special concerns of a creditor may justify attendance at the Meeting of Creditors and such other action as may be appropriate under the circumstances. More detailed information is on file at the Office of the United States Bankruptcy Clerk in El Paso or Waco, Texas. Local Bankruptcy Rules and Standing Orders on procedures are available at the Clerk's Office and online at www.txwb.uscourts.gov.

Use of the singular word "Debtor" in this Plan includes the plural where appropriate.

Plan Summary

- A. The Debtor's Plan Payment will be **\$4,000.00 Monthly**, paid by ☒ Pay Order or ☐ Direct Pay for **60 months**. The gross amount to be paid into the plan is **\$240,000.00**.
- B. The Plan proposes to pay all allowed priority claims in full, all secured claims to the extent of the value of the collateral or the amount of the claim, whichever amount is provided for in Section VI below, and approximately **10%** of each unsecured allowed claim.
- THIS PLAN DOES NOT ALLOW CLAIMS. YOU MUST FILE A PROOF OF CLAIM BY THE APPLICABLE DEADLINE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN THAT MAY BE CONFIRMED. CREDITORS ARE REFERRED TO THE FEDERAL RULES OF BANKRUPTCY PROCEDURE, THE LOCAL BANKRUPTCY RULES FOR THE WESTERN DISTRICT OF TEXAS, AND THE APPLICABLE STANDING ORDER RELATING TO CHAPTER 13 CASE ADMINISTRATION FOR THIS DIVISION, FOR INFORMATION ON THESE AND OTHER DEADLINES.
- C. The value of the Debtor's non-exempt assets is **\$0.00**.
- D. If the payment of any debt is proposed to be paid directly by the Debtor outside the Plan, it is so noted in Section VI(1), set forth below.

Plan Provisions

I. Vesting of Estate Property

- ☒ Upon confirmation of the Plan, all property of the estate shall vest in the Debtor and shall not remain as property of the estate.
- ☐ Upon confirmation of the Plan, all property of the estate shall not vest in the Debtor, but shall remain as property of the estate.
- ☐ Other (describe):

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Continuation Sheet # 1

II. Pre-Confirmation Disbursements

In accordance with the applicable Standing Order Relating to Chapter 13 Case Administration, the Debtor requests and consents to disbursement by the Chapter 13 Trustee of payments prior to confirmation of the Plan to evidence the Debtor's good faith, promote successful completion of the case, and to provide adequate protection to secured creditors. The Debtor shall remit such payments to the Trustee commencing 15 days after the filing of the petition. Provided all conditions for disbursement are met and unless otherwise ordered by the Court, the Trustee shall begin disbursing to creditors as provided below, on the first regularly scheduled disbursement after 30 days after the the petition is filed. Payments under this paragraph will cease upon confirmation of the Plan.

Creditor/Collateral	Pre-Confirmation Payment Amount	Other Treatment Remarks
Brown County Appr. District Oak Ridge Phase III, LT 13	\$20.00	
Developer Finance Corp. Oak Ridge Phase III, LT 13	\$305.23	
State Farm Fncl Svcs F 2003 Chevy C2500	\$126.51	
Yamaha/gemb 2007 Yamaha Vsfar1300	\$70.96	

III. Executory Contracts/Unexpired Leases/Contracts for Deed

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor hereby elects to assume the following executory contracts, unexpired leases, and/or contracts for deed, if any:

Creditor Name	Description of Contract	Election	In Default
RCC Incorp	Lease on Apartment	Assumed	No
Verizon Wireless	Cell Phones	Assumed	No

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor hereby elects to reject the following executory contracts, unexpired leases, and/or contracts for deed, if any:

Creditor Name	Description of Contract	Election	In Default
(None)			

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Continuation Sheet # 2

IV. Motion to Value Collateral Pursuant to 11 U.S.C. § 506

The Trustee shall pay allowed secured claims, which require the filing of a proof of claim, to the extent of the value of the collateral or the amount of the claim, whichever amount is provided for in Section VI(2), hereof, plus interest thereon at the rate specified in this Plan. Except for secured claims for which provision is made to pay the full amount of the claim notwithstanding the value of the collateral, the portion of any allowed claim that exceeds the value of the collateral shall be treated as an unsecured claim under Section VI(2)(F).

The Debtor(s) move(s) to value the collateral described below in the amounts indicated. The values as stated below represent the replacement values of the assets held for collateral, as required under Section 506(a)(2). Objections to valuation of collateral proposed by this Motion and Plan must be filed no later than ten (10) days prior to the confirmation hearing date. If no timely response or objection is filed, the relief requested may be granted in conjunction with confirmation of the Plan.

Creditor / Collateral	Estimated Claim	Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks
State Farm Fnc'l Svcs F 2003 Chevy C2500	\$10,121.00	\$11,450.00	Pro-Rata	5.5%	\$11,524.57	

"I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on
January 5, 2011 *."*

/s/ John Michael Kerby
Debtor

/s/ Sherry Kerby
Joint Debtor

V. Motion to Avoid Lien Pursuant to 11 U.S.C. § 522(f)

The Bankruptcy Code allows certain liens to be avoided. If a lien is avoided, the claim will not be treated as a secured claim but as an unsecured claim under Section VI(2)(F).

The Debtor moves to avoid the following liens that impair exemptions. Objections to lien avoidance as proposed in this Plan must be filed no later than ten (10) days prior to the confirmation hearing date. If no timely objection is filed, the relief requested may be granted in conjunction with confirmation of the Plan. (Debtor must list the specific exempt property that the lien impairs and the basis of the lien--e.g., judicial lien, nonpurchase-money security interest, etc.)

Creditor / Property subject to lien	Amount of Lien to be Avoided	Remarks

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Continuation Sheet # 3

VI. Specific Treatment for Payment of Allowed Claims

1. PAYMENTS TO BE MADE BY THE DEBTOR DIRECTLY TO CREDITORS, INCLUDING POST-PETITION DOMESTIC SUPPORT OBLIGATIONS

A. Debtor(s) shall pay the following creditors directly. Creditors with claims based on a post-petition domestic support obligation ("DSO"), including all governmental units to which a DSO claim has been assigned, or is owed, or that may otherwise recover a DSO claim, **MUST** be paid directly. Minors should be identified by their initials only. If no DSO creditor is listed, the Debtor represents he/she has no domestic support obligation.

All direct payments listed below shall be made in addition to the Plan payments made by Debtor to the Chapter 13 Trustee as herein set forth. Secured creditors who are paid directly shall retain their liens, and the Debtor(s) shall maintain insurance on the collateral, in accordance with the terms of the documents creating the lien on the collateral.

Creditor / Collateral, if any (including the name of each DSO creditor)	Remarks	Debt Amount	Payment Amount/Interval
Ally Financial 2008 Chevy 1500	father's and he pays for it.	\$15,399.00	\$409.00
Capital One Auto Finance 2004 Dodge HD	son's and he pays for it.	\$3,788.00	\$477.00

B. Debtor surrenders the following collateral. Confirmation of the Plan shall operate to lift the automatic stay provided by 11 U.S.C. § 362(a) with respect to the collateral listed, and any unsecured deficiency claim may be filed in accordance with the procedures set forth in the Standing Order Relating to Chapter 13 Case Administration for this Division.

Creditor/Collateral	Collateral to Be Surrendered
First Basin Credit Uni	31 Ft' 5th Wheel R

2. PAYMENTS TO BE MADE BY TRUSTEE TO CREDITORS

A. Administrative Expenses

Administrative Expenses shall include the Trustee's commission and debtor's attorney's fees. The Trustee shall receive up to 10% of all sums disbursed, except on any funds returned to the Debtor. No fees or expenses of counsel for the debtor(s) may be paid until the filing fee is paid in full, and any fees and expenses that are allowed in addition to the fees and expenses originally agreed to be paid, may be paid only after all prior allowed fees and expenses have been paid.

Creditor	Estimated Amount of Debt	Payment Method: before secured creditors, after secured creditors, or along with secured	Remarks
Law Offices of Ed L. Laughlin, P.C.	\$2,300.00	Along With	

B. Priority Claims, Including Domestic Support Obligation Arrearage Claims

Creditor	Estimated Amount of Debt	Payment Method: before secured creditors, after secured creditors, or along with secured	Remarks
Internal Revenue Service	\$125,000.00	Along With	

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Continuation Sheet # 4

C. Arrearage Claims

Creditor / Collateral	Estimated Claim	Estimated Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks
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D. Cure Claims on Assumed Contracts, Leases, and Contracts for Deed

Creditor/Subject Property, if any	Estimated Amount of Cure Claim	Monthly Payment or Method of Disbursement	Remarks
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E. Secured Creditors

Secured creditors shall retain their liens on the collateral that is security for their claims until the earlier of the date the underlying debt, as determined under non-bankruptcy law, has been paid in full, or the date of discharge under 11 U.S.C. § 1328. Therefore, if the debtor's case is dismissed or converted without completing of all Plan payments, the liens shall be retained by the creditors to the extent recognized by applicable non-bankruptcy law.

Creditor/Collateral	Estimated Claim	Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks (specifically note if claim amount to be paid although greater than value of collateral)
Brown County Appr. District Oak Ridge Phase III, LT 13	\$631.33	\$25,050.00	Pro-Rata	12%	\$844.10	
Developer Finance Corp. Oak Ridge Phase III, LT 13	\$24,727.69	\$24,418.67	Pro-Rata	12.9%	\$33,400.72	
State Farm Fnc'l Svcs F 2003 Chevy C2500	\$10,121.00	\$11,450.00	Pro-Rata	5.5%	\$11,524.57	
Yamaha/gemb 2007 Yamaha Vsfar1300	\$5,677.00	\$6,000.00	Pro-Rata	5.5%	\$6,464.30	

F. General Unsecured Creditors (including claims from rejection of contracts, leases and contracts for deed).

Describe treatment for the class of general unsecured creditors.

General Unsecured Creditors will receive approximately 10% of their allowed claims.

Totals:

Administrative Claims	<u>\$2,300.00</u>
Priority Claims	<u>\$125,000.00</u>
Arrearage Claims	<u>\$0.00</u>
Cure Claims	<u>\$0.00</u>
Secured Claims	<u>\$40,848.00</u>
Unsecured Claims	<u>\$24,481.02</u>

VII. Supplemental Plan Provisions

The following are the Supplemental Plan Provisions:

None

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Continuation Sheet # 5

Respectfully submitted this date: 1/5/2011.

/s/ Ed L. Laughlin

Ed L. Laughlin
1509 W. Avenue J
Temple, TX 76504
Phone: (254) 773-8399 / Fax: (254) 773-8426
(Attorney for Debtor)

/s/ John Michael Kerby

John Michael Kerby
205 S. Austin
Holland, TX 76534
(Debtor)

/s/ Sherry Kerby

Sherry Kerby
205 S. Austin
Holland, TX 76534
(Joint Debtor)

**UNITED STATES BANKRUPTCY COURT
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Debtor

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Sherry Kerby
Joint Debtor

CHAPTER **13**

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on January 10, 2011, a copy of the attached Chapter 13 Plan, with any attachments, and Budget and Monthly Family Income were served on each party in interest listed below, by placing each copy in an envelope properly addressed, postage fully prepaid in compliance with Local Rule 9013 (g).

/s/ Ed L. Laughlin

Ed L. Laughlin
Bar ID: 11991500
Law Offices of Ed L. Laughlin, P.C.
1509 W. Avenue J
Temple, TX 76504
(254) 773-8399

1st Collect
xxx2369
6801 Sanger Ave Ste 145
Waco, TX 76710

Barclays Bank Delaware
xxxxxxxxxxxx0225
Attention: Customer Support
Department
PO Box 8833
Wilmington, DE 19899

Capital One Bank
xxxx-xxxx-xxxx-6320
8875 Aero Dr. Suite 200
San Diego, CA 92123

Ally Financial
xxxxxxxx7798
200 Renaissance Ctr
Detroit, MI 48243

Brown County Appr. District
xxxx6026
403 Fisk
Brownwood, TX 76801

Cpu/citi - Conoco Phillips Union
xxxxxx1443
Attn: Centralized Bankruptcy
PO Box 20363
Kansas City, MO 64195

Bankfirst
xxxxxxxxxxxx5776
6100 Old Village Place
Sioux Falls, SD 57108

Cantemar Apartments
16630 N. 43rd Ave.
Glendale, AZ 85306-0519

Dept Of Ed/sallie Mae
xxxxxxxxxxxxxxxxxxxx0911
Po Box 9635
Wilkes Barre, PA 18773

Barclays Bank Delaware
xxxxxxxxxxxx7651
Attention: Customer Support
Department
PO Box 8833
Wilmington, DE 19899

Capital One Auto Finance
xxxxxxxxxxxx1001
3901 N Dallas Pkwy
Plano, TX 75093

Developer Finance Corp.
xxx8507
430 St.
Williamstown, MA 01267

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Sherry Kerby
Joint Debtor

CHAPTER **13**

CERTIFICATE OF SERVICE
(Continuation Sheet #1)

E Oreg Univ
xxxxxxxxxxxxxxxxxx0911
Attn: Bankruptcy
PO Box 9500
Wilkes-Barre, PA 18773

Hsbc Best Buy
xxxxxxxxxxxxx2002
Attn: Bankruptcy
PO Box 5263
Carol Stream, IL 60197

Ray Hendren, C13 Trustee
3410 Far West Blvd.
Suite 200
Austin, TX 78731

Financial Control Svc
xxxxxxxxxxxxx5930
6801 Sanger Ave Ste 195
Waco, TX 76710

Internal Revenue Service
Special Procedures Staff
300 E. 8th Street
STOP 5026 AUS
Austin, TX 78701

Recovery Svcs Of Ameri
xxxxxxxxx4266
Po Box 815335
Dallas, TX 75381

First Basin Credit Uni
xxxxx0004
2740 N County Rd W
Odessa, TX 79764

John Michael Kerby
205 S. Austin
Holland, TX 76534

Sallie Mae
xxxxxxxxxxxxxxxxxx0911
PO Box 9500
Wilkes Barre, PA 18773

First Basin Credit Uni
xxxxx0001
2740 N County Rd W
Odessa, TX 79764

Midland Credit Management
xxxxxx6401
PO Box 939019
San Diego, CA 92193

State Farm Fncl Svcs F
xxxxxxxxxxxxx0001
Attn: Loan Servicing
PO Box 31557
Billings, MT 59107

GEMB / HH Gregg
xxxxxxxxxxxxx0586
Attention: Bankruptcy
PO Box 103106
Roswell, GA 30076

Nco Fin/09
xxxxx7856
Pob 7216
Philadelphia, PA 19101

Valentine & Kebartas, Inc.
xxxxxxxxxxxxx7657
PO Box 325
Lawrence, MA 01842

Gemb/chevron
xxxxxxxxxxxxx6215
Attention: Bankruptcy
PO Box 103104
Roswell, GA 30076

Nco Financial Systems
xxxxx3178
507 Prudential Rd
Horsham, PA 19044

Yamaha/gemb
xxxxxxxxxxxxx5660
Po Box 6153
Rapid City, SD 57709

Gold Canyon Urgent Care
5327
6820 S Kings Ranch Rd. Ste 130
Gold Canyon, AZ

Nco Financial Systems
xxxxx6549
507 Prudential Rd
Horsham, PA 19044

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
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IN RE: **John Michael Kerby, Debtor**
Sherry Kerby, Joint Debtor

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PROPOSED PAYMENT SCHEDULE FOR CHAPTER 13 PLAN (PRO FORMA)

The following payment schedule is a projection of the anticipated payments to be made to the creditors under the plan. This Pro Forma serves as support documentation to the debtor's proposed plan. Actual distributions by the Chapter 13 Trustee may vary.

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 1	MONTH 2	MONTH 3	MONTH 4	MONTH 5	MONTH 6
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$13.54	\$13.56	\$13.58	\$13.61	\$13.63	\$13.66
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$524.11	\$525.42	\$526.73	\$528.05	\$529.36	\$530.68
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,676.50	\$2,676.79	\$2,677.06	\$2,677.32	\$2,677.58	\$2,677.83
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$48.84	\$48.44	\$48.05	\$47.65	\$47.27	\$46.88
State Farm Fnc'l Svcs F	\$10,121.00	5.50%	\$1,403.57	\$215.91	\$215.12	\$214.35	\$213.58	\$212.80	\$212.02
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$121.10	\$120.67	\$120.23	\$119.79	\$119.36	\$118.93
BEGINNING BALANCE:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:				\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:				\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:				\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00
DISTRIBUTION TO GENERAL UNSECURED:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:				\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 7	MONTH 8	MONTH 9	MONTH 10	MONTH 11	MONTH 12
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$13.67	\$13.70	\$13.73	\$13.75	\$13.78	\$13.80
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$532.00	\$533.32	\$534.64	\$535.97	\$537.29	\$538.63
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,678.07	\$2,678.30	\$2,678.53	\$2,678.75	\$2,678.96	\$2,679.15
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$46.50	\$46.12	\$45.74	\$45.36	\$44.99	\$44.62
State Farm Fnc'l Svcs F	\$10,121.00	5.50%	\$1,403.57	\$211.26	\$210.49	\$209.72	\$208.96	\$208.20	\$207.44
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$118.50	\$118.07	\$117.64	\$117.21	\$116.78	\$116.36
BEGINNING BALANCE:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:				\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:				\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:				\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00
DISTRIBUTION TO GENERAL UNSECURED:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:				\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 13	MONTH 14	MONTH 15	MONTH 16	MONTH 17	MONTH 18
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$13.83	\$13.85	\$13.86	\$13.89	\$13.92	\$13.94
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$539.95	\$541.28	\$542.62	\$543.95	\$545.29	\$546.63
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,679.35	\$2,679.53	\$2,679.71	\$2,679.88	\$2,680.04	\$2,680.20
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$44.26	\$43.90	\$43.54	\$43.18	\$42.82	\$42.47
State Farm Fnc'l Svcs F	\$10,121.00	5.50%	\$1,403.57	\$206.68	\$205.93	\$205.18	\$204.43	\$203.68	\$202.93
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$115.93	\$115.51	\$115.09	\$114.67	\$114.25	\$113.83
BEGINNING BALANCE:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:				\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:				\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:				\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00
DISTRIBUTION TO GENERAL UNSECURED:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:				\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 19	MONTH 20	MONTH 21	MONTH 22	MONTH 23	MONTH 24
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$13.97	\$13.99	\$14.02	\$14.04	\$14.06	\$14.09
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$547.97	\$549.31	\$550.65	\$552.00	\$553.34	\$554.69
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,680.34	\$2,680.48	\$2,680.61	\$2,680.73	\$2,680.85	\$2,680.96
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$42.12	\$41.78	\$41.43	\$41.09	\$40.76	\$40.42
State Farm Fnc'l Svcs F	\$10,121.00	5.50%	\$1,403.57	\$202.19	\$201.45	\$200.71	\$199.97	\$199.24	\$198.50
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$113.41	\$112.99	\$112.58	\$112.17	\$111.75	\$111.34

**UNITED STATES BANKRUPTCY COURT
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IN RE: **John Michael Kerby, Debtor**
Sherry Kerby, Joint Debtor

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BEGINNING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00
DISTRIBUTION TO GENERAL UNSECURED:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 25	MONTH 26	MONTH 27	MONTH 28	MONTH 29	MONTH 30
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$14.11	\$14.14	\$14.15	\$14.19	\$14.21	\$14.23
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$556.05	\$557.39	\$558.75	\$560.10	\$561.46	\$562.82
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,681.05	\$2,681.14	\$2,681.23	\$2,681.30	\$2,681.37	\$2,681.44
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$40.09	\$39.76	\$39.43	\$39.11	\$38.79	\$38.46
State Farm Fncl Svcs F	\$10,121.00	5.50%	\$1,403.57	\$197.77	\$197.05	\$196.32	\$195.59	\$194.87	\$194.15
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$110.93	\$110.52	\$110.12	\$109.71	\$109.30	\$108.90

BEGINNING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00
DISTRIBUTION TO GENERAL UNSECURED:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 31	MONTH 32	MONTH 33	MONTH 34	MONTH 35	MONTH 36
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$14.25	\$14.28	\$14.31	\$14.32	\$14.35	\$14.38
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$564.18	\$565.54	\$566.90	\$568.27	\$569.64	\$571.00
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,681.49	\$2,681.54	\$2,681.57	\$2,681.61	\$2,681.63	\$2,681.65
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$38.15	\$37.83	\$37.52	\$37.21	\$36.90	\$36.60
State Farm Fncl Svcs F	\$10,121.00	5.50%	\$1,403.57	\$193.43	\$192.71	\$192.00	\$191.29	\$190.58	\$189.87
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$108.50	\$108.10	\$107.70	\$107.30	\$106.90	\$106.50

BEGINNING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00
DISTRIBUTION TO GENERAL UNSECURED:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 37	MONTH 38	MONTH 39	MONTH 40	MONTH 41	MONTH 42
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$14.39	\$14.42	\$14.45	\$14.47	\$14.50	\$14.52
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$572.38	\$573.75	\$575.12	\$576.50	\$577.87	\$579.26
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,681.66	\$2,681.66	\$2,681.65	\$2,681.64	\$2,681.62	\$2,681.59
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$36.30	\$36.00	\$35.70	\$35.40	\$35.11	\$34.82
State Farm Fncl Svcs F	\$10,121.00	5.50%	\$1,403.57	\$189.17	\$188.46	\$187.76	\$187.06	\$186.37	\$185.67
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$106.10	\$105.71	\$105.32	\$104.93	\$104.53	\$104.14

BEGINNING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00
DISTRIBUTION TO GENERAL UNSECURED:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 43	MONTH 44	MONTH 45	MONTH 46	MONTH 47	MONTH 48
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$14.54	\$14.57	\$14.59	\$14.61	\$14.64	\$14.67
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$580.63	\$582.02	\$583.40	\$584.79	\$586.18	\$587.56
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,681.56	\$2,681.51	\$2,681.47	\$2,681.41	\$2,681.34	\$2,681.27
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$34.53	\$34.25	\$33.96	\$33.68	\$33.40	\$33.13
State Farm Fncl Svcs F	\$10,121.00	5.50%	\$1,403.57	\$184.98	\$184.28	\$183.60	\$182.91	\$182.23	\$181.54
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$103.76	\$103.37	\$102.98	\$102.60	\$102.21	\$101.83

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **John Michael Kerby, Debtor**
Sherry Kerby, Joint Debtor

CASE NO **10-61222**

CHAPTER **13**

BEGINNING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00
DISTRIBUTION TO GENERAL UNSECURED:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 49	MONTH 50	MONTH 51	MONTH 52	MONTH 53	MONTH 54
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$14.69	\$14.71	\$14.73	\$14.76	\$14.79	\$14.81
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$588.95	\$590.35	\$591.74	\$593.14	\$594.53	\$595.93
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,681.20	\$2,681.11	\$2,681.02	\$2,680.92	\$2,680.81	\$2,680.70
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$32.85	\$32.58	\$32.31	\$32.04	\$31.77	\$31.51
State Farm Fnc'l Svcs F	\$10,121.00	5.50%	\$1,403.57	\$180.86	\$180.18	\$179.51	\$178.83	\$178.17	\$177.49
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$101.45	\$101.07	\$100.69	\$100.31	\$99.93	\$99.56

BEGINNING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00
DISTRIBUTION TO GENERAL UNSECURED:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

CREDITOR NAME	AMOUNT	INT RATE	INT PAID	MONTH 55	MONTH 56	MONTH 57	MONTH 58	MONTH 59	MONTH 60
Brown County Appr. District	\$631.33	12.00%	\$212.77	\$14.82	\$14.85	\$14.89	\$14.91	\$14.93	\$4.45
Developer Finance Corp.	\$24,418.67	12.90%	\$8,982.05	\$597.34	\$598.74	\$600.14	\$601.55	\$602.96	\$179.91
Internal Revenue Service	\$125,000.00	10.00%	\$33,937.94	\$2,680.58	\$2,680.45	\$2,680.31	\$2,680.17	\$2,680.02	\$797.73
Law Offices of Ed L. Laughlin,	\$2,300.00	0.00%	\$0.00	\$31.25	\$30.99	\$30.73	\$30.47	\$30.22	\$8.92
State Farm Fnc'l Svcs F	\$10,121.00	5.50%	\$1,403.57	\$176.83	\$176.16	\$175.49	\$174.83	\$174.17	\$51.65
Yamaha/gemb	\$5,677.00	5.50%	\$787.30	\$99.18	\$98.81	\$98.44	\$98.07	\$97.70	\$28.97

BEGINNING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEBTOR'S PAYMENT TO TRUSTEE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
NEW BALANCE:	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
DISTRIBUTION TO PRIORITY, SECURED AND SPECIAL UNSECURED:	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$1,071.63
DISTRIBUTION TO GENERAL UNSECURED:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,528.37
TRUSTEE COMMISSION AND OTHER ADMINISTRATIVE COSTS:	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00	\$400.00
ENDING BALANCE:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

In re **John Michael Kerby**
Sherry KerbyCase No. **10-61222**
(if known)**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	Dependents of Debtor and Spouse	
Married	Relationship(s): Age(s):	Relationship(s): Age(s):
Employment:	Debtor	Spouse
Occupation	Registered Nurse	Registered Nurse
Name of Employer	Scott & White Hospital	Scott & White Hospital
How Long Employed		
Address of Employer	2401 S. 31st Street Temple, TX 76505	2401 S. 31st Street Temple, TX 76505

INCOME: (Estimate of average or projected monthly income at time case filed)

	DEBTOR	SPOUSE
1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)	\$5,803.05	\$5,315.29
2. Estimate monthly overtime	\$0.00	\$0.00
3. SUBTOTAL	\$5,803.05	\$5,315.29
4. LESS PAYROLL DEDUCTIONS		
a. Payroll taxes (includes social security tax if b. is zero)	\$1,673.58	\$915.63
b. Social Security Tax	\$0.00	\$315.38
c. Medicare	\$0.00	\$73.75
d. Insurance	\$0.00	\$245.98
e. Union dues	\$0.00	\$0.00
f. Retirement	\$0.00	\$0.00
g. Other (Specify) 403b Savings / 403b Savings	\$145.41	\$122.89
h. Other (Specify)	\$0.00	\$0.00
i. Other (Specify)	\$0.00	\$0.00
j. Other (Specify)	\$0.00	\$0.00
k. Other (Specify)	\$0.00	\$0.00
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$1,818.99	\$1,673.63
6. TOTAL NET MONTHLY TAKE HOME PAY	\$3,984.06	\$3,641.66
7. Regular income from operation of business or profession or farm (Attach detailed stmt)	\$0.00	\$0.00
8. Income from real property	\$0.00	\$0.00
9. Interest and dividends	\$0.00	\$0.00
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above	\$0.00	\$0.00
11. Social security or government assistance (Specify):	\$0.00	\$0.00
12. Pension or retirement income	\$0.00	\$0.00
13. Other monthly income (Specify):		
a.	\$0.00	\$0.00
b.	\$0.00	\$0.00
c.	\$0.00	\$0.00
14. SUBTOTAL OF LINES 7 THROUGH 13	\$0.00	\$0.00
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$3,984.06	\$3,641.66
16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)	\$7,625.72	

(Report also on Summary of Schedules and, if applicable,
on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

Debtors income has dropped due to a shift change but is not reflected in the budget at this time.

IN RE: **John Michael Kerby**
Sherry KerbyCase No. **10-61222**
(if known)**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home) a. Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No b. Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	\$600.00
2. Utilities: a. Electricity and heating fuel b. Water and sewer c. Telephone d. Other: Cell Phones	\$260.72 \$80.00 \$280.00
3. Home maintenance (repairs and upkeep) 4. Food 5. Clothing 6. Laundry and dry cleaning 7. Medical and dental expenses 8. Transportation (not including car payments) 9. Recreation, clubs and entertainment, newspapers, magazines, etc. 10. Charitable contributions	\$50.00 \$500.00 \$25.00 \$25.00 \$260.00 \$775.00 \$25.00
11. Insurance (not deducted from wages or included in home mortgage payments) a. Homeowner's or renter's b. Life c. Health d. Auto e. Other:	\$50.00 \$165.00
12. Taxes (not deducted from wages or included in home mortgage payments) Specify:	
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan) a. Auto: b. Other: c. Other: d. Other:	
14. Alimony, maintenance, and support paid to others: 15. Payments for support of add'l dependents not living at your home: 16. Regular expenses from operation of business, profession, or farm (attach detailed statement) 17.a. Other: See attached personal expenses 17.b. Other:	\$530.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$3,625.72
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document: None.	
20. STATEMENT OF MONTHLY NET INCOME a. Average monthly income from Line 15 of Schedule I b. Average monthly expenses from Line 18 above c. Monthly net income (a. minus b.)	
	\$7,625.72 \$3,625.72 \$4,000.00

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

IN RE: John Michael Kerby
Sherry Kerby

CASE NO 10-61222

CHAPTER 13

EXHIBIT TO SCHEDULE J

Itemized Personal Expenses

Expense	Amount
Personal Grooming	\$75.00
Pet Expenses	\$50.00
Lunches-on the job	\$100.00
Scrubs for work	\$100.00
Nursing License/Certifications	\$20.00
Monthly travel to see grandchildren	\$185.00
Total >	\$530.00